

REMARKS

Claims 1-32 are pending. Claims 1-32 stand rejected.

Applicants respectfully request that prosecution on the merits be re-opened in view of the concurrent filing of this amendment and a request for continued examination (RCE). Applicants have amended at least independent claims 1, 21, 26 and 28 to expedite prosecution and/or to further clarify the subject matter therein. In view of at least the amendments herein, it is respectfully submitted that the outstanding Office Action does not present a prima facie case of obviousness with respect to claims 1-32.

It is respectfully requested that the alleged prima facie case of obviousness be withdrawn with respect to claims 1-32 and that claims 1-32 be placed in condition for allowance.

Applicants do not necessarily agree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

Applicants reserve the right to pursue, without prejudice, subject matter that has been withdrawn, amended and/or cancelled in a continuing application.

With respect to the present application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

In view of at least the foregoing, it is respectfully submitted that the present application is in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-

U.S. Application No. 10/774,028, filed February 6, 2004
Attorney Docket No. 14329US02
Amendment dated November 30, 2010
Accompanying RCE filed November 30, 2010

listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: November 30, 2010

Respectfully submitted,

/Michael T. Cruz/
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